IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

ARBITRATION PETITION NO.402 OF 2005

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**Nimbus Sport International Pvt.Ltd.
(Formerly known as World Sport
Nimbus Pvt.Ltd.) ...Petitioner**

v/s.

**Sri Lanka Cricket
(Formerly known as the Board
of Control for Criket in
Sri Lanka) ...Respondent**

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Ms.S.Srikrishna i/b Anil Menon for the Petitioner.

Mr.Gaurav Joshi i/b Desai & Diwanji for Respondent No.1.

Mr.Jayakar i/b Khaitan & Jaykar for the Respondent No.6.

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CORAM: D.K.DESHMUKH, J.

DATED: 10TH JANUARY,2006

P.C.:

On behalf of the Respondent No.6 an affidavit was filed in Arbitration Petition (L) No.642 of 2005. Paragraph 4 of that affidavit reads as under:-

> **4. I say that as far as the position between India and Sri Lanka is concerned, upon the completion of the present cricket tour, Sri Lanka would be bound to play 5 One-day internationals against India in the future, failing which, it would be the Respondent No.1 which would have to compensate and pay the Respondent No.6 for the same. It is thus clear, that the entire Petition of the Petitioners seems to be based upon a totally flawed and misconceived understanding of the ICC Regulations relating to tours compensation**

> **between two nations. I reiterate that there is absolutely no liability on the part of the Respondent No.6 to pay any monies to the Respondent No.1 in respect of the current cricket series.**

2. It is clear from the statement quoted above that the Respondent No.6 does not hold any money belonging to Respondent No.1.

3. In this view of the matter, therefore, subject matter will not be within the jurisdiction of this court. Hence, the petition cannot be entertained. It is disposed of.

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